

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ JUL 11 2017 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JEFFREY HERRING,

Plaintiff,

-against-

CITY OF NEW YORK; GREGORY JEAN-BAPTISTE;
JEAN GAILLARD; EDWARD BABINGTON; VASSILIOS
AIDINIOU; and JOHN and JANE DOE 1 through 10,
individually and in their official capacities (the names John and
Jane Doe being fictitious, as the true names are presently
unknown),

Defendants.

STIPULATION AND
ORDER OF
SETTLEMENT OF
ATTORNEY'S FEES,
EXPENSES, AND COSTS

15 CV 276 (NGG)(RLM)

WHEREAS, plaintiff Jeffrey Herring commenced this action by filing a
complaint on or about January 19, 2015, alleging that defendants City of New York, Detective
Gregory Jean-Baptiste, Detective Jean Gaillard, Lieutenant Edward Babington, and Sergeant
Vassilios Aidiniou violated his federal civil rights; and

WHEREAS, all defendants deny any and all liability arising out of plaintiff's
allegations; and

WHEREAS, plaintiff's counsel represents that plaintiff has assigned all of his
rights to attorneys' fees, expenses, and costs to his counsel, Joseph Indusi, Esq., Esq.; and

WHEREAS, counsel for defendants and counsel for plaintiff now desire to
resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, the attorneys of record for the respective parties to the above-
captioned action, as follows:

1. Defendant City of New York hereby agrees to pay plaintiff's counsel, London Indusi, LLP, the total sum of Seventy Thousand (\$70,000.00) Dollars in full satisfaction of plaintiff's claims for attorneys' fees, expenses, and costs. In consideration for the payment of Seventy Thousand (\$70,000.00) Dollars, counsel for plaintiff agrees to release and discharge defendants City of New York, Detective Jean-Baptiste, Detective Gaillard, Lieutenant Babbington and Sergeant Aidiniou; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

2. Counsel for plaintiff hereby agrees and represents that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiff in any application for attorneys' fees, expenses, or costs at any time.

3. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.

4. This Stipulation and Order contains all the terms and conditions agreed upon by counsel for defendants and counsels for plaintiff hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation

and Order regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

LONDON INDUSI, LLP
Attorneys for Plaintiff
186 Joralemon Street, Suite 1202
Brooklyn, N.Y. 11201
(718) 301-4593

By: 

Joseph Indusi, Esq.
Attorney for Plaintiff

ZACHARY W. CARTER
Corporation Counsel of the
City of New York
*Attorney for Defendants City of New York,
Jean-Baptiste, Gaillard, Babbington, and
Aidiniou*
100 Church Street, 3rd Floor
New York, New York 10007

By: 

Karl J. Ashanti, Esq.
Senior Counsel

SQ ORDERED:

s/NGG


HON. NICHOLAS G. GARAUFIS
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
JUN 21, 2017

6/30/17